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Tarrant County Texas

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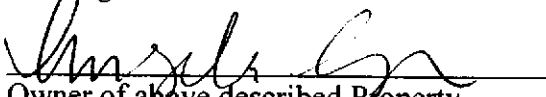
Suzanne Henderson

**WAIVER FOR GAS WELL PAD SITE PERMIT
WITHIN THE CITY OF FORT WORTH**

We C.J. and Angela A. Garcia, are the owners of real property located at 721 W. Dickson Street, Fort Worth, Texas, more particularly shown on the map of record in Volume 204, Page 15, Plat Records of Tarrant County, Texas or per Tax Tract Number 39390-21-1-30, Tarrant County, Texas and described as Block 21, Lot 1 in the South Fort Worth Subdivision.

We understand the current Gas Drilling Ordinance of the City of Fort Worth allows the issuance of a gas well pad site permit for the sole purpose of allowing future wells to be drilled on an existing pad site and within 600 feet of Protected Uses without obtaining waivers and/or variances as set forth in Section 15.42 of the Ordinance. All gas wells drilled upon a permitted gas well pad site must otherwise comply with any drilling distance regulations from a Protected Use or other structure as required by state law and applicable fire code regulations and all other provisions of this Ordinance.

By this waiver, We hereby acknowledge that XTO Energy, Inc. may drill one or more gas wells seventy-five (75) feet from the boundary of the pad site and closer than six-hundred (600) feet to a Protected Use, but in any event, the gas well bore may not be located any closer than 200 feet to any structure which would include a residence, religious institution, public building, hospital building, or school building as measured in a straight line, without regard to intervening structures or objects, to the closest exterior point of the building.


Owner of above described Property
Date 4-28-08

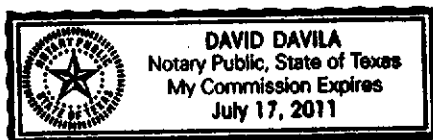
Owner of above described Property
Date _____

STATE OF TEXAS
COUNTY OF

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that the same for the purposes and consideration therein expressed and in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 28 day of April, 2008.


Notary Public in and for the State of Texas



Return to: Bryson G. Kuba
6127 Green Jacket Dr.
Apt.# 1136
Fort Worth, TX 76137

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